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July 10, 2015

**VIA ECF**

Honorable Thomas P. Griesa  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312

*Re: United States of America v. Prevezon Holdings Ltd., et al.*  
*Case No.: 1:13-cv-06326-TPG*

Dear Judge Griesa:

We write in response to the Government's letter of July 10, 2015, in which the Government attempts to defend its failure to provide this Court and Defendants with material exculpatory evidence that it held at the time it submitted its Amended Complaint and urged the Court to impose the Amended Protective Order. The Government's letter changes the subject.

We wrote in response to the Government's request for this Court to rule on pending motions to dismiss. As the Government well knew, when it presented its Amended Complaint and Amended Protective Order, it withheld from the Court and Defendants the Russian Federation's response to its request under a Mutual Legal Assistance Treaty Request ("MLAT"), which stated in reference to the tracing alleged in Paragraph 90 of the Amended Complaint: "We found no evidence supporting any such transactions." That was highly relevant information you should have been informed of before you ruled on a \$15 million restraining order. The Russian MLAT response was only provided to us on June 15, 2015, and thus, we had no opportunity to incorporate it into our motion to dismiss. The Government's letter, thus, was asking the Court to rule on an incomplete record.

Honorable Thomas P. Griesa

July 10, 2015

Page 2

The Government's letter today suggests that it always had support for its tracing analysis, which it says has not changed. When Exhibit B shows money flowing from A and B to C and the new proposition is different (A and B to Q and R and C), it appears that the Government's position has materially changed, and the Government omits to tell you that the documents it now puts forth as support for Paragraph 90 it only obtained on March 23, 2015, thus, confirming the Russian MLAT response was apparently true, and the Government blocked us from presenting to you a key failing in the Amended Complaint before you ruled on the Amended Protective Order. And despite the Court's order of May 29, 2015, the Government continues to withhold its correspondence relating to MLAT requests exchanged with foreign governments, including the Russian Federation, which may well contain additional exculpatory information.

We continue to contest the Government's tracing analysis and will address the merits of the Government's new position – along with the several other new positions put forth in its letter – in an appropriate filing next week.

Respectfully,

/s/ John Moscow  
John W. Moscow